

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

**NRP HOLDINGS LLC and
NRP PROPERTIES LLC,**

Plaintiffs,

v.

Civil No.: 11-CV-0472

**CITY OF BUFFALO, BYRON W. BROWN,
STEVEN M. CASEY, DEMONE A. SMITH,
RICHARD A. STENHOUSE, BUFFALO
JEREMIAH PARTNERSHIP FOR COMMUNITY
DEVELOPMENT, INC., CITY OF BUFFALO URBAN
RENEWAL AGENCY
JOHN DOE 1 – 10, and
JOHN DOE COMPANIES 1 – 5.**

Defendants.

DECLARATION OF STEVEN J. WEISS

Steven J. Weiss, makes this declaration under penalties of perjury,
pursuant to 28 U.S.C. § 1746:

1. I am an attorney duly licensed to practice law in the State of New York.
2. In 2007 and 2008, our law firm served as counsel to NRP Group and in that capacity I attended one or more meetings among representatives of the NRP Group and the City of Buffalo. I believe that Mayor Byron Brown was personally in attendance at one of the meetings.
3. During the above referenced meetings, I believe that the parties discussed a potential project involving the creation of approximately 50 affordable rental

housing units to be located in the Masten Park and Cold Springs neighborhoods of the City of Buffalo (the "Project").

4. I believe Mayor Brown was present during discussions involving the specific details of the Project including the type of project involved, the nature of the funding to be used to finance the Project, and other details. I believe Mayor Brown agreed to send a letter to the Governor of New York to support NRP Group's application to the State housing agency for an award of low-income housing tax credits (the "Credits").

5. At a point in time in 2009 after the State Housing agency awarded the Credits to the Project, I was informed that the City of Buffalo was unwilling to facilitate or complete certain previously agreed upon tasks required of it in order to close on the financing for the Project. During this time, I was also advised that City of Buffalo representatives had demanded that NRP Group hire Rev. Richard Stenhouse, the Jeremiah Partnership, and/or companies associated with Rev. Stenhouse to conduct community outreach services.

6. Thereafter, I had several conversations with Mayor Brown about the hiring of Rev. Richard Stenhouse, the Jeremiah Partnership, and/or companies associated with Rev. Stenhouse to perform community outreach services and I was asked to explain to Mayor Brown that while NRP Group regularly engaged local entities to perform such services in other communities, and was willing to do so in connection with their Buffalo Project, that they would only do so following an RFP process to select the most qualified party on a competitive basis. During these conversations, Mayor Brown indicated that he didn't care what we did so long as we hired "the right company."

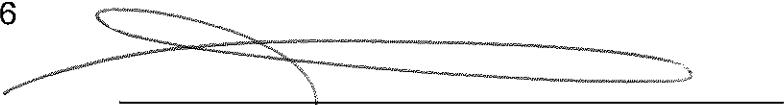
From the context of our conversations, I understood Mayor Brown to mean that the Project would no longer have his support if NRP Group decided to hire a party other than Rev. Richard Stenhouse, the Jeremiah Partnership, and/or companies associated with Rev. Stenhouse to perform community outreach services.

7. During another conversation Mayor Brown made a statement to the effect that NRP needed to "Make Stenhouse happy or the deal will not go through." Mayor Brown further stated that he was, "Sick of seeing those fucking white developers on the East Side with no black faces represented."

8. NRP Group conducted an RFP for community outreach services and thereafter decided to retain a party other than Rev. Richard Stenhouse, the Jeremiah Partnership, and/or companies associated with Rev. Stenhouse to perform such services. I had a further conversation with Mayor Byron Brown during which I advised him that Rev. Stenhouse would not be retained by NRP Group. In response, Mayor Brown stated "I told you what you had to do and you hired the wrong company."

9. During my conversations with Mayor Brown concerning the project in 2009, I don't recall that he ever complained about or objected to any of the terms or details of the Project or that he ever stated he was adverse to the type of project, the type of funding and tax credits that would be used for the project, or the rent-to-own nature of the project.

DATED: December 19, 2016



Steven J. Weiss